

REMARKS

The present application is a continuation of U.S. Application No. 10/215,492, which issued on March 23, 2004, as U.S. Patent No. 6,709,664. Since the present continuation is filed on the same date as the issuance of the parent application, it is timely filed. No new matter has been added to the continuation application.

The above amendments to the specification are made to correctly claim priority to the parent application and to delete minor typographical errors in the serial number of several referenced patents. No new matter has been added by these amendments. The following typographical errors were made in each of the above paragraphs:

1. In the paragraph beginning on page 6, line 23, at line 29 U.S. Patent No. 5,192,550 was incorrectly listed as 4,192,550; and on page 7, line 3, U.S. Patent No. 5,387,615 was incorrectly listed as 4,387,615.
2. In the paragraph beginning on page 7, line 15, at line 26 EP-A 509761 was incorrectly listed as EP-A 5509761.
3. In the paragraph beginning on page 7, line 27, at line 29 U.S. Patent No. 4,826,875 was incorrectly listed as U.S. Patent No. 4,826,379.

Newly added claims 31-55 also do not add new matter to the application and their entry is therefore respectfully requested. Specifically, support for the newly added claims is found throughout the specification, and is particularly found as follows:

- claim 31: support for “preventing or reducing photodamage to skin cells” and “reduce apoptosis” is found at least in part on page 8, lines 19-20;

- claims 31 and 43: support for “electromagnetic or ionizing radiation” is found at least in part on page 3, lines 2-5;
- claims 32 and 43: support for “topical composition” is found at least in part on page 1, lines 8-9, page 5, lines 4-14, and page 6, lines 6-10;
- claims 33 and 44: support for “cream, gel, transdermal patch, salve, lotion, and spray” is found at least in part on page 5, lines 4-14, and page 7, lines 7-26;
- claims 34-35 and 45-46: support for “a concentration of between 1×10^{-11} moles/liter and 1×10^{-3} moles/liter” is found at least in part on page 5, line 5, and page 6, lines 7-8;
- claims 36-37 and 47-48: support for “desmethylelegiline in the form of its R(-) enantiomer and the S(+) enantiomer is substantially absent” and “desmethylelegiline in the form of its S(+) enantiomer and the R(-)enantiomer is substantially absent” is found at least in part on page 5, lines 7-12;
- claims 38 and 49: support for “diluent or carrier comprising one or more compounds selected from the group consisting of water, suspending agents, thickeners, humectants, preservatives, emollients, emulsifiers, and film formers” is found at least in part on page 5, lines 12-13, and page 7, lines 7-14;
- claims 39-42 and 50-53: support for “free base” and “pharmaceutically acceptable acid addition salt” is found at least in part on page 8, lines 2-4;
- claim 43: support for “oxidative damage” is found at least in part on page 4, line 10.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant respectfully submits that the present application and all claims are in condition for immediate allowance and early notice to such effect is earnestly solicited. If, in the opinion of the Examiner, a phone call may help expedite prosecution of this application, the Examiner is invited to contact the undersigned attorney at (512) 542-8569.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



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